

were made special order for Wednesday, the 16th, and the Select Committee requested to report by that time.

Mr. Superviele introduced a joint resolution, relative to a treaty of extradition with Mexico—read 1st and 2d times, and referred to the Committee on State Affairs.

A message was received from the House, informing the Senate that the House had passed a bill, originating in the Senate, to define the First Judicial District, and to fix the time of holding the District Courts therein, with amendments.

On motion of Mr. Grimes, the Senate adjourned till tomorrow morning at 8 o'clock.

#### SATURDAY, July 12th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the Chaplain—roll called—quorum present.

The journal of yesterday was read and adopted.

Mr. Palmer presented the petition of Ellis Benson; referred to the Committee on State Affairs.

Mr. McCulloch presented the petition of H. G. Henderson, for relief of Volunteer Companies in 1840; referred to Committee on Claims and Accounts.

Mr. Flanagan introduced a bill for the relief of James Brown; read 1st and 2nd times, and referred to the Committee on Private Land Claims No. 2. Also,

A bill to create the county of Franklin; read 1st and 2nd times, and referred to Committee on Counties and County Boundaries.

Mr. Taylor of Houston, introduced "A bill to incorporate the Sabine and Galveston Bay Railroad and Lumber Company;" read 1st and 2nd times, and referred to Committee on Internal Improvements.

Mr. Taylor of Cass, offered the following resolution:

*Resolved*, That the Committee on Printing be instructed to contract with the publishers of the city papers for twenty-five numbers of each weekly issue, for each member of the Senate; Provided, that the cost shall not be more than five cents per copy.

Mr. Scott moved to strike out twenty-five, and insert fifteen.

Mr. Grimes moved reference of the resolution to the Committee on Printing—Lost.

Mr. Palmer offered to amend by adding: "And twenty-five copies of the Appendix to the State Gazette"—Lost.



Mr. McCulloch moved a division of the question—and the Senate refused to strike out.

The resolution was then adopted.

Mr. Caldwell introduced a bill punishing frauds and embezzlement; read 1st and 2nd times; and referred to the Committee on the Judiciary.

Mr. Wren introduced "A bill to require the Comptroller to perform all the duties required of the Auditor, from and after the 1st day of January, 1856;" read 1st and 2nd times.

On motion of Mr. Wren, the rule was suspended, bill read, and ordered to be engrossed.

On motion of Mr. Flanagan, the rule was further suspended—bill read 3rd time and passed.

Mr. Burroughs presented the order and memorial of the County Court of Newton county, and petition of sundry citizens of Newton county, praying the Legislature to pass a law authorizing a majority of the legal voters of said county to elect a county site; referred to the Committee on Counties and County Boundaries.

Mr. McCulloch introduced "A bill to amend the 9th section of an Act entitled an Act to provide the mode to try titles to land," approved February 5th, 1840; read 1st and 2nd times, and referred to the Committee on the Judiciary.

Mr. Flanagan, Chairman of the Committee on Internal Improvements, to which was referred "A bill to incorporate the San Antonio River Navigation Company, for the purpose of, making the same navigable for steamboats, and other boats" reported the same back recommending its passage.

Mr. Taylor of Cass, Chairman of the Committee on Public Debt, to which was referred a bill for the relief of Henry Stout, reported a substitute therefor, recommending the adoption of the substitute, and the passage of the bill.

Mr. Pedigo presented the petition of the citizens of Tyler county, asking the passage of a bill to incorporate the town of Woodville; referred to the Committee on Counties and county Boundaries.

#### ORDERS OF THE DAY.

A bill to incorporate the Guadalupe Bridge Company; read 2nd time.

Mr. McCulloch offered the following amendments:

1st. In section 1st, 9th line from top, strike out "twelve thousand," and insert "twenty thousand."



2nd. In section 5th, 2nd and 3rd lines from top, strike out "one," and insert "three."

3rd. In section 6th, 3rd line from top, amend by inserting "directors" instead of "director."—Adopted.

The bill was then ordered to be engrossed.

On motion of Mr. McCulloch, the rule was suspended, and the bill read 3rd time, and passed by the following vote:

YEAS—Messrs. Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Hord, McCulloch, Martin, Maverick, Millican, Palmer, Pedigo, Potter, Scarborough, Scott, Superviele, Taylor of Cass, Taylor of Houston, Weatherford, Whitaker, White, and Wren—24.

NAYS—None.

On motion of Mr. Burroughs, a bill for the relief of D. M. Fulton was taken from the table, and placed among the orders of the day.

On motion of Mr. White, a bill supplementary to an Act incorporating the Lavaca Navigation Company, was taken from the table, and placed among the orders of the day.

Joint Resolution proposing an amendment to the Constitution of the State, read; and on motion of Mr. Palmer, made the special order for Monday next, the 14th inst., at 10 o'clock.

A message was received from the House, informing the Senate, that the House had passed "A bill for the relief of the heirs of Carlos Espalier."

Mr. Guinn, Chairman of the Committee on Engrossed bills, reported correctly engrossed:

An Act to amend an Act to incorporate the Union, Marine and Fire Insurance Company.

A bill for the relief of Samuel McKneely.

A bill to legitimate Donaciana Howland, daughter of Samuel W. Howland, deceased.

A bill for the relief of Mercer Fane, Sen'r., and Wm. M. Hewett.

A bill to amend the 1st section of an Act to provide for the appointment of Patrols, and to prescribe their duty and powers.

A bill to incorporate the Frost Institute.

A resolution proposing an amendment to the Constitution.  
A bill to provide for the transfer of certain books, papers, archives, and records, from the Adjutant General's Office, into the General Land Office.

A bill for the relief of Joseph Cummings.



A bill requiring Chief Justices of county Courts to give bonds for the faithful performance of their official duty.

A bill authorizing the use of the Spanish language before Justices' Courts in certain cases, and in the counties West of the Guadalupe River. And,

A bill for the relief of Isaiah Hudson.

The following bills were severally read third time, and passed:

A bill to provide for the safe keeping of the Libraries of the Supreme Court at the several branches thereof.

A bill for the relief of Robert Baldwin.

A bill for the relief of Richard Alderson.

A bill for the relief of Thomas Bell.

A bill for the relief of Isabel Seguin y Ruiz.

A bill for the relief of Hamilton Ledbetter.

A bill for the relief of the heirs of R. G. Dunlap.

A bill requiring the Commissioner of the General Land Office to issue a land certificate to James McDonald.

A bill for the relief of the heirs of James M. Rose.

A bill for the relief of the heirs of Christopher Coats.

A bill to validate a survey and patent upon the headright of John R. Rodgers.

A bill to amend the 1st section of an Act to provide for the appointment of Patrols, and to prescribe their duty and power.

A bill to appropriate certain monies in the Treasury to the School Fund.

A bill for the relief of James Cummings.

A bill for the relief of Samuel McKneely.

A bill to legitimate Donaciana Howland, daughter of Samuel W. Howland, deceased.

And a bill for the relief of Mercer Fain, Sen'r., and William M. Hewett.

On motion of Mr. Scott, a House bill for the relief of the heirs of Carlos Espalier, was taken up, read 1st and 2nd times, and referred to the Committee on Private Land Claims No. 1.

Joint resolution proposing an amendment to the Constitution of the State, read 3rd time; and passed by the following vote:

YEAS—Messrs. Bryan, Caldwell, Flangan, Grimes, Guinn, Lott, McCulloch, Maverick, Palmer, Pirkey, Scott, Superviele, Taylor of Cass, Taylor of Houston, Truitt, Whitaker, and White—17.



**NAYS**—Messrs. Burroughs, Hill, Martin, Millican, Potter, Russell, Taylor of Fannin, and Weatherford—8.

A bill authorizing the use of the Spanish language before Justices' Courts in certain cases, and in the counties West of the Guadalupe River, read 3rd time, and rejected by the following vote :

**YEAS**—Messrs. Bryan, Burroughs, Guinn, Hord, Lott, Maverick, Palmer, Russell, Scarborough, Scott, Superviele, Taylor of Cass, Whitaker, and White—14.

**NAYS**—Messrs. Caldwell, Flanagan, Grimes, Hill, McCulloch, McDade, Martin, Millican, Pirkey, Potter, Taylor of Fannin, Taylor of Houston, Truit, and Weatherford—14.

A bill to amend an Act to incorporate the Union, Marine and Fire Insurance Company, read 3rd time, and passed by the following vote :

**YEAS**—Messrs. Bryan, Burroughs, Caldwell, Flanagan, Grimes, Guinn, Hill, Lott, McCulloch, McDade, Martin, Maverick, Palmer, Pirkey, Potter, Russell, Scarborough, Scott, Superville, Taylor of Cass, Taylor of Fannin, Taylor of Houston, Truit, Weatherford, Whitaker, and White—26.

**NAYS**—Messrs. Hord, and Millican—2.

A bill to provide for the transfer of certain books, papers, archives and records from the Adjutant General's Office into the General Land Office, read ; and on motion of Mr. Potter, ordered to lie on the table.

A bill for the relief of the children of Isaiah Hudson ; read 3rd time.

On motion of Mr. Potter, the bill was amended by striking out the following words :

"That they shall remain in the county of Rusk, unless they move from the State."

Mr. Palmer offered the following amendment :

"Provided that this Act shall not be in any manner construed to give said parties any right to remain in the State, not heretofore given by general law"—Adopted.

The bill was then passed.

A bill requiring Chief Justices of County Courts to give bonds for the faithful performance of their official duties ; read 3rd time.

On motion of Mr. Burroughs, it was amended by adding :

"Section 4. And that this Act shall take effect from and after its passage."

The bill was then passed.



Mr. Potter moved to reconsider the vote rejecting "A bill authorizing the Spanish language before Justices' Courts in certain cases, and in counties West of the Guadalupe River."

Which motion was made the special order for Monday morning next, at 10 o'clock.

On motion of Mr. White, the rule was suspended, and a bill to incorporate the San Antonio Navigation Company, for the purpose of making the same navigable for steamboats, and other boats, was taken up—read, and passed to a third reading.

Mr. Grimes, by leave, offered the following resolution:

*Resolved*, That the Committee on Printing be requested to inquire into the cost of binding, in some cheap, but substantial manner, the Laws and Journals of the present Legislature, and that they report to this Senate as early as practicable.

Adopted.

Mr. Taylor of Fannin, Chairman of the Committee on Private Land Claims No. 1, to which were referred a bill for the relief of Wm. McFaddin, and a bill for the relief of John B. Adams and Ann Adams, reported the same back, recommending their passage.

Mr. Truitt, by leave, introduced a bill for the relief of Samuel Jourdan; read 1st and 2nd times, and referred to the Committee on the Judiciary.

On motion of Mr. Scott, a bill to amend the caption and the 1st and 16th sections of an Act to incorporate the Texas Western Railroad Company, approved February, 1856, together with the veto message of the Governor, were made the special order of the day for Wednesday, the 16th inst.

A message was received from the House, transmitting the following preamble and resolutions, which, on motion of Mr. Flanagan, were ordered to be spread upon the Senate Journals:

#### PREAMBLE.

Whereas, since the adjournment of this Legislature, on the 5th day of February last, it has pleased God to remove from among us Julian Devereaux, one of the members of this House, from the county of Rusk, a man of sterling integrity, a politician, whose polar star was love of country—a husband devoted in his affections—a father, tender, just and beloved—a friend, on whose ear the sacred call of friendship never fell unheeded—and a citizen whose constant aim was by personal effort, and pecuniary contribution to advance the best interests of his country



—simple, and unostentatious in all his habits—firm and undeviating in the cause of right, he presented to the youth of his acquaintance, a pure model of an American gentleman—in fact, he was the realization of the idea of the poet:

“An honest man is the noblest work of God.”

*Be it therefore resolved:*

1st. That this House deeply regret the death of Julian S. Devereaux, lately a member from the county of Rusk.

2nd. That the usual badge of mourning be worn by the members of this House in token of our sincere regret for the death of the deceased, for the space of 30 days.

3rd. That a copy of these resolutions, signed by the Speaker, be forwarded to the family of the deceased, resident in Rusk.

Adopted, July 12th, 1856.

*Resolved,* That the House of Representatives have learned with sincere regret of the death of the Honorable J. C. Guy, late a member from the counties of Cass and Titus, and of the Honorable Richard Hines, late member from the county of Titus, which have occurred since our adjournment in February last.

*Resolved,* That as a mark of Respect for the memory of our said deceased colleagues, the members of this House will wear the usual badge of mourning for thirty days, and that the Speaker be requested to transmit a copy of these resolutions to the families of the deceased.

Adopted, July 12th, 1856.

On motion of Mr. Hord, the Senate adjourned till Monday at 8 o'clock.

MONDAY, July 14th, 1856.

The Senate was called to order by the President, pursuant to adjournment—prayer by the chaplain—roll called—quorum present.

The journal of Saturday was read and adopted.

Mr. Potter presented the petitions of Oscar Farish, and John G. Todd—referred to the Committee on Public Debt.

Also, the petition of the officers and men of the Navy of the late Republic—referred to the Committee on Public Lands.

Mr. Maverick presented the petition of Casimira Garcia—referred to the Committee on Private Land Claims No. 1.

A message was received from the House, informing the